

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**FEDERAL TRADE COMMISSION,  
STATE OF ILLINOIS, and  
STATE OF MINNESOTA,**

*Plaintiffs,*

v.

**GTCR, LLC,  
GTCR BC HOLDINGS, LLC, and  
SURMODICS, INC.,**

*Defendants.*

**Case No. 1:25-cv-02391**

**JOINT STIPULATION REGARDING  
PRELIMINARY INJUNCTION HEARING EVIDENCE AND  
SUBMISSION OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Parties respectfully submit the following stipulations in connection with the Preliminary Injunction Hearing held from August 21, 2025 through September 2, 2025 (the “Hearing”).

Pursuant to the Court’s instruction during the Pre-Hearing Conference on August 19, 2025, the Parties conferred regarding timing for submission of the Proposed Findings of Fact and Conclusions of Law, and have agreed to a submission date of September 16, 2025. This date is consistent with the Joint Stipulated Case Management Order (Dkt. 71), in which the Parties agreed that each side’s Proposed Findings of Fact and Conclusions of Law shall be due two weeks after the conclusion of the Hearing.

The Parties also have conferred regarding Plaintiffs' request for admission of PX1522, and Defendants' request in response for admission of DX-768. *See* Hr'g Tr. 1842:7-22 (Court admitting PX1522 and instructing Parties to confer regarding DX-768). The Parties have agreed that Plaintiffs will withdraw admission of PX1522, and Defendants therefore will not seek admission of DX-768.

Pursuant to the Pre-Hearing Order (Dkt. 243) and the Court's instruction and rulings during the Hearing on September 2, 2025, the Parties have conferred and jointly stipulate that the following exhibits listed below in Sections I-VI (the "Exhibits") and written deposition testimony in Sections VII-VIII ("Testimony") shall be admitted into evidence.

For the Court's convenience, Appendix A sets forth a complete list of all admitted exhibits and demonstratives used at the Hearing. The Parties also will provide the Court with a thumb drive containing electronic copies of the admitted exhibits and transcripts for the deposition testimony admitted (video and written).

**I. EXHIBITS FROM PLAINTIFFS' VIDEO DESIGNATIONS**

- PX3003 (Patrick McCormack, Stryker)
- PX3010 (Patrick McCormack, Stryker)
- PX3069 (Patrick McCormack, Stryker)

**II. EXHIBITS FROM DEFENDANTS' VIDEO DESIGNATIONS**

- DX-037 (Patrick McCormack, Stryker)
- DX-066 (Ben Tompkins, Penumbra)
- DX-077 (Ben Tompkins, Penumbra)
- DX-114 (William Stephens, Shockwave)
- DX-115 (William Stephens, Shockwave)
- DX-116 (William Stephens, Shockwave)
- DX-117 (William Stephens, Shockwave)
- DX-118 (Bart Johnson, J&J)
- DX-160 (Ben Tompkins, Penumbra)
- DX-161 (Ben Tompkins, Penumbra)
- DX-175 (Joshua Brenizer, Teleflex)

### **III. EXHIBITS FROM PLAINTIFFS' WRITTEN DESIGNATIONS**

- PX1108 (Rahul Nair, former GTCR)
- PX1115 (Rahul Nair, former GTCR)
- PX1154 (Rahul Nair, former GTCR)
- PX1256 (Sean Toomey, former Biocoat)
- PX1289 (Elizabeth Green, Biocoat)
- PX1294 (Elizabeth Green, Biocoat)
- PX1299 (Elizabeth Green, Biocoat)
- PX1313 (Elizabeth Green, Biocoat)
- PX1322 (Elizabeth Green, Biocoat)
- PX1327 (Elizabeth Green, Biocoat)
- PX1328 (Elizabeth Green, Biocoat)
- PX1330 (Elizabeth Green, Biocoat)
- PX1333 (Elizabeth Green, Biocoat)
- PX1455 (Brad Pelisek, GTCR)
- PX1457 (Brad Pelisek, GTCR)
- PX1458 (Brad Pelisek, GTCR)
- PX1460 (Brad Pelisek, GTCR)
- PX1461 (Brad Pelisek, GTCR)
- PX1467 (Brad Pelisek, GTCR)
- PX1478 (Brad Pelisek, GTCR)
- PX1482 (Brad Pelisek, GTCR)
- PX1483 (Brad Pelisek, GTCR)
- PX1492 (Brad Pelisek, GTCR)
- PX1497 (Brad Pelisek, GTCR)
- PX1503 (Brad Pelisek, GTCR)
- PX1504 (Rahul Nair, former GTCR)
- PX1505 (Brad Pelisek, GTCR)
- PX1506 (Brad Pelisek, GTCR)
- PX1528 (Rahul Nair, former GTCR)
- PX1541 (Brad Pelisek, GTCR)
- PX1547 (Sean Toomey, former Biocoat)
- PX1552 (Sean Toomey, former Biocoat)
- PX1553 (Sean Toomey, former Biocoat)
- PX1562 (Sean Toomey, former Biocoat)
- PX1567 (Sean Toomey, former Biocoat)
- PX1672 (Sean Toomey, former Biocoat)
- PX1686 (Sean Toomey, former Biocoat)
- PX1689 (Sean Toomey, former Biocoat)
- PX1690 (Sean Toomey, former Biocoat)
- PX1691 (Sean Toomey, former Biocoat)
- PX1694 (Sean Toomey, former Biocoat)
- PX1695 (Sean Toomey, former Biocoat)

- PX1696 (Sean Toomey, former Biocoat)
- PX1700 (Sean Toomey, former Biocoat)
- PX1702 (Sean Toomey, former Biocoat)
- PX1704 (Sean Toomey, former Biocoat)
- PX1705 (Sean Toomey, former Biocoat)
- PX1708 (Sean Toomey, former Biocoat)
- PX1709 (Sean Toomey, former Biocoat)
- PX1714 (Sean Toomey, former Biocoat)
- PX1715 (Sean Toomey, former Biocoat)
- PX1716 (Sean Toomey, former Biocoat)
- PX1719 (Sean Toomey, former Biocoat)
- PX1720 (Sean Toomey, former Biocoat)
- PX1726 (Sean Toomey, former Biocoat)
- PX1727 (Sean Toomey, former Biocoat)
- PX1729 (Sean Toomey, former Biocoat)
- PX1731 (Sean Toomey, former Biocoat)
- PX1735 (Sean Toomey, former Biocoat)
- PX1736 (Rahul Nair, former GTCR)
- PX1737 (Rahul Nair, former GTCR)
- PX1738 (Rahul Nair, former GTCR)
- PX1739 (Rahul Nair, former GTCR)
- PX1740 (Rahul Nair, former GTCR)
- PX1741 (Rahul Nair, former GTCR)
- PX1745 (Rahul Nair, former GTCR)
- PX1746 (Rahul Nair, former GTCR)
- PX1748 (Rahul Nair, former GTCR)
- PX1749 (Rahul Nair, former GTCR)
- PX1750 (Rahul Nair, former GTCR)
- PX1751 (Rahul Nair, former GTCR)
- PX1754 (Rahul Nair, former GTCR)
- PX1755 (Rahul Nair, former GTCR)
- PX1757 (Rahul Nair, former GTCR)
- PX1780 (Rahul Nair, former GTCR)
- PX2213 (Greg Welsh, Alembic)
- PX3035 (Tristan Tieso, Fastwave)
- PX3040 (Ujwal Jalgaonkar, Balt)
- PX3047 (Tristan Tieso, Fastwave)
- PX3048 (Tristan Tieso, Fastwave)
- PX3049 (Tristan Tieso, Fastwave)
- PX3086 (Greg Welsh, Alembic)
- PX3144 (Mary Lydon, Argon)
- PX3251 (Dhruv Patel, Integer)
- PX3265 (Dhruv Patel, Integer)
- PX3274 (Dhruv Patel, Integer)

- PX3278 (Dhruv Patel, Integer)
- PX3279 (Dhruv Patel, Integer)
- PX3281 (Dhruv Patel, Integer)
- PX3282 (Dhruv Patel, Integer)
- PX3283 (Dhruv Patel, Integer)
- PX6084 (Dhruv Patel, Integer)
- PX6085 (Dhruv Patel, Integer)

#### **IV. EXHIBITS FROM DEFENDANTS' WRITTEN DESIGNATIONS**

- DX-024 (Himanshu Patel, former Avinger)
- DX-025 (Himanshu Patel, former Avinger)
- DX-026 (Mary Lydon, Argon)
- DX-027 (Mary Lydon, Argon)
- DX-028 (Mary Lydon, Argon)
- DX-029 (Mary Lydon, Argon)
- DX-030 (Michael Owens, Philips)
- DX-031 (Michael Owens, Philips)
- DX-044 (Ujwal Jalgaonkar, Balt)
- DX-045 (Andrew Moll, Becton)
- DX-046 (Andrew Moll, Becton)
- DX-048 (Mark Hiatt, Cook Medical)
- DX-049 (Mark Hiatt, Cook Medical)
- DX-078 (Jeannie Epps, Terumo Medical)
- DX-082 (Tristan Tieso, Fastwave)
- DX-093 (Mark Rentschler, Aspero)
- DX-172 (Brady Hatcher, Switchback)
- DX-176 (Kenny Dang, Terumo Neuro)
- DX-177 (Jeannie Epps, Terumo Medical)
- DX-178 (Kenny Dang, Terumo Neuro)
- DX-720 (Greg Welsh, Alembic)
- DX-741 (Michael Owens, Philips)
- DX-744 (Michael Owens, Philips)
- DX-752 (Mark Hiatt, Cook Medical)
- DX-753 (Bryan Patrick, Midwest)
- PX3042 (Tristan Tieso, Fastwave)

#### **V. PLAINTIFFS' ADDITIONAL EXHIBITS<sup>1</sup>**

- PX0002
- PX0009

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<sup>1</sup> Plaintiffs intended to introduce these exhibits with witnesses scheduled to be called in Defendants' case in chief. Because those witnesses were not called at trial, Plaintiffs orally moved to admit these exhibits on Tuesday, September 2, 2025.

- PX2048
- PX2049
- PX2051
- PX2052
- PX2054
- PX2057
- PX2079
- PX2218
- PX2219
- PX2226
- PX2229
- PX2248
- PX2250
- PX2252
- PX2260
- PX2261
- PX2300
- DX-445
- DX-484

**VI. DEFENDANTS' EXHIBITS IN RESPONSE TO PLAINTIFFS' ADDITIONAL EXHIBITS**

- PX2296

**VII. PLAINTIFFS' FINAL WRITTEN DEPOSITION DESIGNATIONS**

- Elizabeth Green, Biocoat
- Mary Lydon, Argon
- Rahul Nair, GTCR (former)
- Dhruv Patel, Integer
- Himanshu Patel, Avinger (former)
- Brad Pelisek, GTCR
- Sanjay Shrivastava, Innova Vascular
- Sean Toomey, Biocoat (former)
- Greg Welsh, Alembic

**VIII. DEFENDANTS' FINAL WRITTEN DEPOSITION DESIGNATIONS**

- Harshad Borgaonkar, Heraeus Medevio
- Kenny Dang, Terumo Neuro
- Jeannie Epps, Terumo Medical
- Brady Hatcher, Switchback Medical
- Mark Hiatt, Cook Medical
- Ujwal Jalgaonkar, Balt

- Mary Lydon, Argon
- Andrew Moll, Becton Dickenson
- Michael Owens, Philips Healthcare
- Bryan Patrick, Midwest Interventional
- Mark Rentschler, Aspero Medical
- Tristan Tieso, FastWave Medical

September 9, 2025

Respectfully submitted,

/s/ Maia Perez (with consent)

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